

sequentially transmit the short message to each of the targeted recipient users in succession; rather, it transmits the short message to a plurality of selected users (e.g., all the intended recipients) at substantially the same time. In other words, the relevant transmission to the plurality of users is in parallel, rather than in series. Each of Applicant's independent claims 1, 8, and 18 include language directed to this "substantially simultaneously" transmission aspect.

Turning now to the cited art, Applicant asserts that the Examiner has erred in rejecting the claims under §103(a) as unpatentable over Ross in view of Salin. Ross discloses a short message center (SMSC), which sends short messages to a plurality of users. However, it is plain from a reading of Ross that the short messages are sent out in a long series of individual transmissions, with each transmission directed to one particular mobile device. Thus, Ross teaches only that the same short message content may be transmitted to each of a plurality of users (in a distribution list, or subset thereof) in series, not in parallel. See, e.g., Ross, col. 3, lines 41-42 ("the SMSC then attempts to deliver the plurality of subsets one at a time sequentially"). Thus, while Ross may teach sequential transmission; it simply does not teach simultaneous, or substantially simultaneous, transmission of the short message to a plurality of users, as claimed. The Ross approach of sequential transmission is exactly the kind of problem Applicant's approach is designed to solve, as pointed out in the Background of the present application. It necessarily follows that Ross not only fails to teach or suggest the "substantially simultaneous" transmission approach claimed by Applicant's independent claims, Ross actually teaches away from the claimed approach.


The addition of Salin, which discloses a method for transmitting messages in a radio system, does nothing to remedy the deficiencies suffered by Ross. Salin teaches making a plurality of identical copies of the same short message and addressing them to a plurality of users. Further, each copy of the short message is uniquely addressed to a single recipient. The MSC then transmits the plurality of copies to each of the recipients, which requires a separate transmission process for each copy. This is clear from reading Salin, page 8, lines 16-

17, which reveals that the "...MSC then forwards each of the short messages separately to each receiving B-subscriber." Thus, Applicant submits that Salin, like Ross, not only fails to teach or suggest any of Applicant's independent claims, Salin likewise teaches away from the claimed approach.

As neither Ross nor Salin teach or suggest transmitting short messages to a plurality of selected users "substantially simultaneously" as required in each of Applicant's independent claims, the combination of Ross and Salin necessarily fails to teach or suggest this limitation. Further, by teaching sequential transmission of short messages, the both Ross and Salin teach away from Applicant's claimed approach. As such, it is impossible to combine the cited art to either teach or suggest Applicant's invention. Accordingly, Applicant submits that independent claims 1, 8, and 18, as well as their respective dependent claims 2-7, 9-17, and 19-22, define patentable subject matter over the cited art and respectfully requests their allowance.

Respectfully submitted,
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